

**CITY OF MURFREESBORO**  
**RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

**PURPOSE**

The purpose of this plan is to implement rules set down by the Federal Government, namely the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (42 U.S.C. 4601) and HUD implementing regulations at 24 CFR Part 42.

To ensure that owners of real property to be acquired for federal and federally - assisted projects are treated fairly and to ensure that persons displaced as a direct result of any activities assisted by federal funds be treated fairly and equitably.

**DEFINITIONS**

**Displaced person** - any person who moves from real property or moves his or her personal property from the real property

- (1) as a direct result of a written notice of intent to acquire, the initiation of negotiations for, or the acquisition of, such real property in whole or in part for a project.
- (2) as a direct result of rehabilitation of demolition for a project.
- (3) as a direct result of a written notice of intent to acquire, or the acquisition, rehabilitation or demolition of other real property on which the person conducts a business or farm operation, for a project.

**Comparable replacement dwelling** - a dwelling which is :

- (1) decent, safe and sanitary
- (2) functionally equivalent to the displacement dwelling (performs the same functions, same utility, and is capable of contributing to the same style of living.)
- (3) adequate in size to accommodate the occupants
- (4) located in an environmentally safe area.
- (5) located in an area not less desirable than the displaced person's dwelling.
- (6) on adequate size lot
- (7) currently available to the displaced person
- (8) within the financial means of the displaced person.

**Low/moderate income dwelling** - a unit with a market rental, including utility costs, that does not exceed the applicable FMR (Fair Market Rental) for existing housing and moderate rehabilitation, as established

under the Section 8 Existing Housing Program.

Occupiable dwelling unit - a dwelling unit that is in standard condition, or is in substandard condition, but is suitable for rehabilitation.

Standard condition - a unit that has no code violations.

Substandard units - units that are suitable for rehabilitation include those in Fair Condition where maintenance and unstructrual repair is needed; as well as those in Poor Condition, which includes the existence of structural problems; but not units which are Severely Deteriorated, meaning continued deterioration has occurred over time, with little or no effort to make needed repairs, making the unit infeasible for rehabilitation. A unit is infeasible for rehabilitation when, after rehabilitation, it is worth less than seventy-five (75) percent of the rehabilitation cost.

#### ONE-FOR-ONE REPLACEMENT UNITS

The City of Murfreesboro will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted under the Housing and Community Development Act of 1974, as amended, (CDBG and UDAG, Section 108) as described in 24CFR570.606(b)(1).

All replacement units will be located within jurisdiction of the City of Murfreesboro.

Replacement low/moderate income dwelling units will be designed to remain low/moderate income dwelling units for at least 10 years from the date of initial occupancy and will be in standard condition. The units may include, but are not limited to, public housing, existing housing receiving Section 8 project based assistance, units raised from substandard to standard condition through the city's Housing Rehabilitation Programs.

The units must be sufficient in number and size to house at least the number of occupants that could have been housed in the units that are demolished or converted.

Examples of activities which would require replacement units include:

1. Demolition of vacant units when:
  - a. the demolition is funded in whole or in part with CDBG funds, and

- b. if rented, the units would rent for less than the FMR, and
- c. the units are suitable for rehabilitation.

2. Rehabilitation of units when:

- a. the rehab is assisted with CDBG funds, including payment of just administrative expenses, and
- b. the rent before rehab does not exceed the applicable FMR for existing housing, and
- c. the rent after rehab exceeds the applicable FMR for existing housing and moderate rehabilitation, or the unit is converted to a use other than housing.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Murfreesboro will make public and submit to the HUD Field Office the following information in writing:

1. A description of the proposed activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for low/moderate income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

The one-for-one replacement provisions are effective for all CDBG funds obligated after the FY89 CDBG grant is made to the City, regardless of the source year of the funds used for the activity. For Section 108, UDAG and the Secretary's Discretionary Grant; the provisions apply to all grants made

on or after October 1, 1988.

## RELOCATION ASSISTANCE

The City of Murfreesboro shall provide relocation assistance to each low/moderate income household that is displaced by demolition, or by conversion of a low/moderate income dwelling unit to another use, as a direct result of an activity assisted under the Housing and Community Development Act of 1974, as amended.

### A. Type of Assistance

The low/moderate income household may elect to receive relocation assistance described at 24 CFR Part 42 (HUD's regulations implementing the Uniform Relocation Act), or may elect to receive the following relocation assistance:

1. The relocation assistance described at 24 CFR Part 42, Subpart C (General Relocation Requirements) and Subpart D (Payment for Moving and Related Expenses) Relocation notices must be issued consistent with, and in the manner prescribed under, 24 CFR 42.203. Displaced households provided with replacement housing assistance in the form of a certificate or housing voucher under Section 8 of the United States Housing Act of 1937, must be provided referrals to comparable replacement dwelling units whose owners are willing to participate in the housing voucher or certificate program. The City shall advise tenants of replacement housing opportunities in such a manner that, whenever feasible, they will have a choice between relocating within their neighborhoods and other neighborhoods consistent with the City's responsibility to affirmatively further fair housing, as required by the Federal Fair Housing Law, as amended in 1988, (Title VIII), also known as the Civil Rights Act of 1968;
2. The reasonable and necessary cost of any security deposit required to rent the replacement dwelling unit, and credit checks required to rent or purchase the replacement dwelling unit;
3. Replacement Housing assistance. Households are eligible to receive one of the following forms of replacement housing assistance:
  - a. Each household must be offered compensation designed to ensure that, for a five-year period, the displaced household will not bear, after relocation a ratio of shelter costs to income that exceeds 30 percent. Such

compensation shall be either:

(i) A certificate or housing voucher for rental assistance provided through the Murfreesboro Housing Authority under Section 8 of the United States Act of 1937 or,

(ii) Cash rental assistance equal to 60 times the amount that is obtained by subtracting 30 percent of the displaced household's monthly gross income (with such adjustments as the City may deem appropriate) from the lesser of: the monthly cost of rent and utilities at a comparable replacement dwelling unit or the monthly cost of rent and utilities at the decent, safe and sanitary replacement dwelling to which the household relocates. The City shall provide the cash payment in a lump sum. The city shall not make this cash assistance available if the household rejects a Section 8 certificate or voucher.

b. If the household purchases and interest in a housing cooperative or mutual housing association and occupies a decent, safe and sanitary unit in the cooperative or association, the household may elect to receive a lump sum payment. This lump sum payment shall be equal to the capitalized value of 60 monthly installments of the amount that is obtained by subtracting 30 percent of the displaced household's monthly gross income (with such adjustments as the City may deem appropriate) from the monthly cost of rent and utilities at a comparable replacement dwelling unit. To compute the capitalized value, the installments shall be discounted at the rate of interest paid on passbook savings deposits by a federally-insured bank or savings and loan institution conducting business within the City's jurisdiction. To the extent necessary to minimize hardship to the household, the City shall, subject to appropriate safeguards, issue a payment in advance of the purchase of the interest in the housing cooperative or mutual housing association.

#### B. Eligibility For Relocation Assistance

A low or moderate income household that is required to move as a direct result of demolition or conversion of a low/moderate income dwelling unit to another use, is eligible

for relocation assistance under paragraph (b) (2) of this section if:

1. The household is required to move from the dwelling unit on or after the date that the owner submits a request to the city for financial assistance that is later approved for the requested activity. (This applies to dwelling units owned by a person other than a Federal or State agency, as defined under the URA.)
2. The household is required to move from the dwelling on or after the date of the initial submission of a final statement under 24CFR 570.302(a)(2) (Entitlement Grants); (This applies to dwelling units owned by a Federal or State agency as defined under the URA.)

If the displacement occurs on or after the date described above, the low or moderate income household is not eligible for relocation assistance if:

1. The household is evicted for cause;
2. The household moved into the property on or after the above date; after receiving written notice of the expected displacement; or
3. The grantee determines that the displacement was not a direct result of the assisted activity, and the HUD office concurs in that determination.

If the displacement occurs before the date described above, the low or moderate income household is eligible for relocation assistance if the city or HUD determines that the displacement was a direct result of an activity assisted under this part.

### Anti-Displacement Strategy

Consistent with the goals and objectives of activities assisted under the Housing and Community Development Act of 1974, as amended, the City of Murfreesboro's anti-displacement strategy is built upon local policies that:

- recognize that displacement is a potentially serious problem in reinvestment neighborhoods;
- seek to minimize displacement in CDBG program areas to the greatest extent practical
- in those areas where displacement is unavoidable, ensure that assistance is provided to displacees;

- provide mechanisms to promote awareness, communication, and participation among government, neighborhoods, and the private sector;
- ensure that community development programs are designed, implemented, and evaluated in a manner that minimizes potential displacement and assists displacees

The following mitigative actions will be undertaken and recommendations pursued to minimize displacement and provide assistance in those instances where displacement is unavoidable. These actions and recommendations are aimed at making it easier for lower-income residents to remain in their neighborhoods via programs to increase homeownership opportunities and rental assistance, sensitively administer code enforcement, subsidize rehabilitation costs, and increase the supply of safe and affordable housing. The actions and recommendations that follow are not comprehensive, but rather provide the foundation for a local anti-displacement effort to be updated and refined on an ongoing basis by all interest groups.

1. Housing Rehabilitation Financing - In order to assure that the benefits of revitalization will be received by existing low and moderate income residents, CDBG financing will continue to be structured so that even very low income homeowners can afford needed repairs. By making rehabilitated housing affordable, it will not be necessary to displace low and moderate income homeowners in order to achieve neighborhood revitalization. Programs will also be carried out to rehab rental property that will be affordable to low and moderate income tenants. This will help provide a needed supply of decent, affordable rental housing in CDBG neighborhoods and enable existing tenants to remain in their neighborhoods.
2. Temporary Relocation - Temporary relocation assistance will be provided for homeowners and tenants when required to carry out the rehabilitation work. Assistance includes moving, storage, and rent when needed.
3. Code Enforcement - In order to mitigate the adverse effects of displacement necessitated by CDBG assisted code enforcement activities, the City of Murfreesboro remains flexible and sensitive in its enforcement of the codes. Emphasis is placed on correcting basic safety and health violations, with the unique needs of the property owners and tenants taken into account.

If a house is determined unfit for human habitation, it

is condemned and the occupants are so notified. They are also informed about programs which may provide them with suitable replacement housing. If they would like to rent through Section 8 or Conventional Public Housing, the Community Development Office will notify the Murfreesboro Housing Authority of the tenant's displaced status and thus the tenant will receive priority for rental assistance programs.